

REMARKS

Claims 1-40 are now in the application. Claims 1, 7, 13 and 19 have been amended.

THE AMENDMENTS**In the Specification**

The cross-reference to related applications on page 1 has been amended to correct an informality. The reference to the serial number has been corrected from "10,265,864" to the term "10/265,864" as suggested by the Examiner.

The specification on page 8 has been amended to provide antecedent basis for "rhodanines" in added claim 29. Support for this amendment and the new claim 29 is found in the parent application wherein claim 29 may be found as claim 11.

Claim 11 as originally filed is directed to a zincate solution wherein the inhibitor is "at least one nitrogen containing heterocyclic compound or mercapto substituted nitrogen containing heterocyclic compound", and it was intended to include "rhodanines" which are nitrogen containing heterocyclic compounds. "Rhodamines" listed in original claim 11 are not nitrogen containing heterocyclic compounds but rather oxygen containing heterocyclic compounds.

In the Claims

Independent claims 1, 7, 13 and 19 have been amended to more specifically define the inhibitor and to incorporate the list of inhibitors previously found in the specification in original claim 6 of the parent application. This amendment was suggested by the Examiner and should be sufficient to overcome the rejection of claims 1-24 under 35 USC §112.

Claims 25-40 have been added. These claims contain further descriptions of the zincate solutions utilized in the claimed processes. The new claims are fully supported in the specification and generally correspond to some of the original claims in the parent application. The cross reference to the claims in the original parent application are summarized in the following table.

<u>Added Claim</u>	<u>Claim in Parent</u>
25	7
26	8
27	9
28	10
29	11
30	12
31	2
32	3
33	4
34	15
35	16
36	19
37	20
38	18
39	17
40	22

REJECTIONS

I. Claims 1-24 have been rejected under 35 USC §112, first paragraph.

The Examiner has rejected the claims under §112 because the specification does not reasonably provide enablement for the at least one inhibitor containing one or more nitrogen atoms, one or more sulfur atoms, or both nitrogen and sulfur atoms. The Examiner maintains that the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims.

Reconsideration and withdrawal of this rejection is requested in view of the amendments to claims 1, 7, 13 and 19. These claims have been amended as suggested by the Examiner, and it is believed that the specification is enabling with respect to these amended claims.

II. Claims 1-24 have been rejected under 35 USC §103(a) as being unpatentable over GB 1007252 in view of Haydu et al U.S. 5,182,006.

As suggested by the Examiner, GB 1007252 teaches an aqueous alkaline zincate solution comprising zinc ions, hydroxide ions, nickel ions, iron ions, copper ions, nitrate ions, and a complexing agent such as tartaric acid or a salt thereof. GB '252 further teaches a process for treating an aluminum surface prior to electrolytic plating process steps. However, the Examiner acknowledges that GB 1007252 fails to teach the addition of an inhibitor as claimed by Applicants. Haydu et al teach a zincate solution comprising zinc ions, hydroxide ions, a chelating agent, metallic additives and 0.1 to 5% by volume of an additive comprising a bath soluble cationic condensation polymer which contains nitrogen atoms. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to have added the nitrogen-containing heterocyclic compound inhibitor additive of Haydu to the zincate solution of GB 1007252 to provide a smoother and brighter zinc coating as claimed by Applicants.

Reconsideration of the rejection is solicited because it would not be obvious to utilize the inhibitors described in Haydu in the zincate solution of GB '252. The zincate solutions of GB '252 contain cyanide ions. See, for example, the embodiments at the top of page 2, discussion on page 2, lines 16-19, Examples 1 and 2, and the claims. In contrast, the zincate solutions described by Haydu et al do not contain cyanide. See, for example, col. 4, lines 34-39, and U.S. Patent No. 3,216,835 (Saubestre et al) referred to by Haydu at col. 4, lines 29-31 as teaching a zincate bath useful in the Haydu process. The cationic condensation polymers described by Haydu are used in lieu of cyanide ions.

Accordingly, since GB '252 relates to cyanide containing baths and Haydu relates to non-cyanide baths, it would not be obvious to use the polymer described by Haydu in a cyanide bath.

Moreover, in view of the above amendments to independent claims 1, 7, 13 and 19, and therefore, in effect, an amendment of all of the claims in the application, the Examiner is requested to reconsider and withdraw this rejection. The amended claims list the types of inhibitors containing nitrogen and/or sulfur useful in the alkaline zincate

solutions of the invention, and cationic condensation polymers of the types disclosed in Haydu are not included. There is no disclosure in Haydu that would render it obvious to one skilled in the art to utilize the inhibitors now identified in the claims.

Reference to Co-Pending Application

Pursuant to 37 CFR 1.56(a), Applicants wish to bring to the Examiner's attention co-pending application U.S. Serial No. 10/606,460 filed on June 26, 2003. This application describes processes for depositing a zinc alloy protection coating on aluminum or aluminum based alloy substrates using aqueous acidic solutions containing zinc ions, nickel and/or cobalt, fluoride and inhibitors of the types utilized in the alkaline zincate solution used in the method of the present claims. The co-pending application is being examined in Art Unit 1762.

CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that claims 1-40 are allowable. An early action to this effect is solicited.

In the event any additional fee is due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Attorney Docket Number ATOTP0103USA).

Respectfully submitted,

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